

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTAL TURNER,

Plaintiff,

Case No. 07-11266

v.

Hon. John Corbett O'Meara

MOTOR CITY CAR SALES LLC,

Defendant.

ORDER OF PARTIAL DISMISSAL

On March 23, 2007, Plaintiff filed a complaint alleging the following causes of action: Count I, Truth in Lending Act; Count II, Federal Vehicle Cost Savings and Information Act; Count III, Magnuson-Moss Warranty Act; Count IV, common law conversion; Count V, statutory conversion; Count VI, Motor Vehicle Sales Finance Act; Count VII, Motor Vehicle Installment Sales Contract Act; Count VIII, Motor Vehicle Code Violations; Count IX, Michigan Odometer Act; Count X, Michigan Consumer Protection Act; Count XI, misrepresentation; Count XII, breach of contract; Count XIII, breach of warranty; Count XIV, breach of warranty of title; Count XV, repudiation; and Count XVI, revocation of acceptance.

Although Counts I and II are cognizable in this court pursuant to 28 U.S.C. § 1331, Plaintiff's remaining fourteen claims arise under state law. Pursuant to 28 U.S.C. § 1367(c), a district court may decline to exercise supplemental jurisdiction over state law claims raised in federal question cases. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994). Because Plaintiff does not assert diversity

jurisdiction under 28 U.S.C. § 1332, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claims.

Accordingly, **IT IS HEREBY ORDERED** that Counts III through XVI of Plaintiff's complaint are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Dated: April 25, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, April 25, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager